IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

WEDNESDAY, THE 17TH OCTOBER 2007 / 25TH ASWINA 1929

WP(C).No. 30777 of 2007(L)

PETITIONER:

M/S KOTTAYAM CLUB, MUTTAMBALAM, KOTTAYAM
REPRESENTED BY THE GENERAL MANAGER, MOHAN JYOTHI

BY ADV. DR.K.B.MUHAMED KUTTY (SR.)
SRI.K.M.FIROZ

RESPONDENTS:
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1. THE SALES TAX OFFICER, SECOND CIRCLE,
KOTTAYAM.

2. THE DEPUTY COMMISSIONER (APPEALS)
COMMERCIAL TAXES, KOLLAM.

3. THE INSPECTING ASST. COMMISSIONER,
COMMERCIAL TAXES, KOTTYAM.

BY GOVERNMENT PLEADER SRI.K.P.PRADEEP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 17/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.
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W.P.(C) NO. 30777 OF 2007 L
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Dated this the 17th day of October, 2007

J U D G M E N T

Exts.P1 and P2 are the assessment orders for the years 2003-04 and 2004-05. Against these orders, Exts. P3 and P4 appeals have been filed along with Exts. P5 and P6 stay applications before the 2nd respondent. It is submitted that the appeals and the stay petitions are pending and orders have not been passed on the stay petitions even. While so, revenue recovery action has been initiated for realisation of the dues under Exts.P1 and P2 assessment orders and Ext.P7 is the recovery notice. It is the recovery notice that is challenged in this writ petition.

2. Taking into account the pendency of the appeals and the stay petitions as stated above, I dispose of this writ petition with a direction to the 2nd respondent to consider and pass orders on Exts. P5 and P6 stay petitions, as expeditiously as possible, at any rate within a period of three weeks of receipt of a copy of

this judgment.

3. In the meantime, further proceedings pursuant to Ext.P7 shall be kept in abeyance.

Petitioner shall produce a copy of this judgment before the 2nd respondent for compliance.

ANTONY DOMINIC, JUDGE.

Rp